

MAURICE Clifton #28332-077
Federal Prison CAMP-Delta
P.O. Box 8000
FORREST City, AR 72336

October 22, 2019

Honorable Sharon Aycock,
Chief Judge
UNITED States District Court
Northern District of Mississippi
203 Gilmer DR.
Amory, MS 38821

CS No: 3:97 CR 0006-

IN RE: Motion Under Section 404 of "Fair Sentencing Act"

Dear Honorable Judge Aycock,

I'm writing in regards to the above referenced case number,
and my pending motion under the Fair Sentencing Act. IN January
you appointed the Public Defenders, office to represent me; A motion,
was filed on my behalf on April 26, 2019.

Judge Aycock, Under the new law I'm eligible for immediate
release; and reasons being are as follows; 1) I went to trial for Aiding
& Abetting the Sale of 6.4 grams of Cocaine base, and held responsible for
at least 1.5 Kilograms, both under the New Law takes The Statutory
Maximum back to 20 years. (I have served 22 yrs and 10 months)

2) I have been a Model inmate, who has mentored other inmates,
Completed Numerous Vocational and Rehabilitation Classes, and I've
Work my way down From the Penitentiary to a Camp. (see Attachment)
So I've obtained the necessary skills to become gainfully employed.

3) I'm still under the 100:1 Ratio sentence, and each day
I serve over 20 years is categorically unjust;

→

page II

" October 22, 2019

4) I have numerous family members and friends who will assist me in making the transition back into society.

Judge Aycock, I humbly apologize for disturbing you, but I have had several motions pending that would have given me relief, to include, "2-Point Reduction Motion-2012", a rule 36 motion, which I successfully removed two misdemeanor charges that would put me back into a category I, and would have made me eligible for the safety valve; and my second "crack motion" of 2010.

My District Court case was not finalized before Apprendi, and I should have went back to twenty years then. (2000) Your Honor, you can contact any Warden at any institution I've been incarcerated at, and they will attest to the positive impact I've made. ie Warden Mosley @ FCI Edgefield; Warden Bragg @ FCI Bennettville; Warden Constance Reece (Retired).

Thank you for your time and humble patience in this matter. Again, I apologize for any inconvenience
God Bless You.

Respectfully,
MAURICE Clifton SR. #28332-071
Maurice Clifton Sr

Profile:

Maurice Clifton SR

Arrested: January 16, 1997

D.O.B: June 24, 1965

USIN: 28332-071-10590-0

File now | File Then

FOR87 * INMATE EDUCATION DATA * 07-17-2018
 PAGE 001 * TRANSCRIPT * 13:06:30

REGISTER NO: 28332-077 NAME...: CLIFTON
 FORMAT.....: TRANSCRIPT RSP OF: FOR-FORREST CITY FCI

FUNC: PRT

----- EDUCATION INFORMATION -----
 FACL ASSIGNMENT DESCRIPTION START DATE/TIME STOP DATE/TIME
 FOR ESL HAS ENGLISH PROFICIENT 07-22-1997 1951 CURRENT
 FOR GED HAS COMPLETED GED OR HS DIPLOMA 07-22-1997 1953 CURRENT

----- EDUCATION COURSES -----

SUB-FACL	DESCRIPTION	START DATE	STOP DATE	EVNT	AC	LV	HRS
FOR	UNICOR ASQ CQIA	07-11-2017	10-26-2017	P	C	P	16
FOR	BASKETBALL OFFICIATING	06-01-2017	09-18-2017	P	C	P	1
FOR	RPP ORIENT RELRQMTS A&O CORE5	05-11-2017	05-11-2017	P	C	P	1
BEN	2 HR ANNUAL HEALTH FAIR-RPP#1	12-08-2016	12-08-2016	P	C	P	2
BEN	NCCER 2-3PM M-F/HUDSON-RPP#6	08-08-2016	12-02-2016	P	C	C	120
BEN	QTRLY MEN'S HEALTH SEM/3-RPP#1	08-04-2016	08-04-2016	P	C	P	2
BEN	NCCER GO GREEN M-F 2-3:30 P.M.	06-10-2016	06-23-2016	P	C	C	120
BEN	JOB FAIR MOK INTERVIEW MAIN	04-27-2016	04-27-2016	P	C	P	2
BEN	JOB FAIR INFORMATION RPP 2,5,6	04-27-2016	05-03-2016	P	C	P	1
BEN	EXPLORE INTERVIEW PROCESS#2/#6	04-18-2016	04-28-2016	P	C	P	16
BEN	INTRO TO RESUMES (EM#2/PG#6)	04-18-2016	04-28-2016	P	C	P	16
BEN	EMPLOYABILITY SKILLS EM#2/PG#6	04-18-2016	04-28-2016	P	C	P	16
BEN	NCCER CORE M-F HUDSON/RPP#6	12-14-2015	01-28-2016	P	C	C	180
BEN	KEYBOARDING CLASS	01-05-2016	02-09-2016	P	C	P	16
BEN	BASKETBALL OFFICIALS-RPP#6	11-23-2015	12-11-2015	P	C	P	24
YAZ	INSIDE OUT DAD 1-PARENT SEMINR	06-16-2014	06-17-2014	P	C	P	2
YAZ	THEOLOGY THROUGH FILM CLASS	05-01-2014	06-04-2014	P	C	P	14
YAZ	INTRODUCTION TO TOASTMASTERS	01-16-2014	03-14-2014	P	C	P	16
YAZ	RPP5 RECOVERY MAINTENANCE	03-06-2014	03-06-2014	P	C	P	1
YAZ	RPP2 DRESS FOR SUCCESS	01-07-2014	01-07-2014	P	C	P	1
YAZ	RPP2 FROM PRISON TO PAYCHECK	01-07-2014	01-07-2014	P	C	P	1
YAZ	PARENTING LOW T 1:00-3:00	08-08-2013	10-18-2013	P	C	P	16
YAZ	RPP6-POSTIVE PARENTING	10-30-2013	10-30-2013	P	C	P	1
YAZ	RPP2 FROM PRISON TO PAYCHECK	10-29-2013	10-29-2013	P	C	P	1
YAZ	RPP2 DRESS FOR SUCCESS	10-29-2013	10-29-2013	P	C	P	1
YAZ	HEALTH SEMINAR	05-23-2012	07-12-2013	P	C	P	2
YAZ	CALISTHENICS I AM-LOW	04-26-2013	05-25-2013	P	C	P	2
YAZ	SERVE SAFE MGMNT, M-F, 1-3	02-06-2013	03-01-2013	P	C	C	100
YAZ	RESTAURANT MGT, M-F,1:00-3:00	08-25-2012	02-05-2013	P	C	C	300
YAZ	JUMP ROPE I-LOW	03-27-2012	04-23-2012	P	C	P	2
YAZ	CHALLENGE FOR CHANGE 2	09-13-2011	09-13-2011	P	C	P	2
YAZ	BETHESDA PARENTING SEM 1	09-29-2011	09-29-2011	P	C	P	2
YAZ	BUSINESS SEMINAR-LOW	08-23-2011	08-23-2011	P	C	P	2
YAZ	CAREER SEMINAR-LOW	08-10-2011	08-10-2011	P	C	P	2
YAZ	TEACHER AID APPRENTICESHIP-LOW	02-25-2011	09-07-2011	P	C	A	1000
YAZ	INSIDE OUT DAD 4-PARENT SEMINR	08-01-2011	08-03-2011	P	C	P	2
YAZ	CAREER RESOURCE SEMINAR	04-01-2011	04-01-2011	P	C	P	2
YAZ	INSIDE OUT DAD 2-PARENT SEMINR	12-29-2010	12-29-2010	P	C	P	2
YAZ	JOB FAIR INTERVIEW	12-09-2010	12-09-2010	P	C	P	4
YAZ	JOB SKILLS, THUR 1:00-3:00	10-06-2010	12-01-2010	P	C	P	16

G0002 MORE PAGES TO FOLLOW . . .

FOR87 * INMATE EDUCATION DATA * 07-17-2018
 PAGE 002 * TRANSCRIPT * 13:06:30

REGISTER NO: 28332-077 NAME.: CLIFTON
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FUNC: PRT

----- EDUCATION COURSES -----								
SUB-FACL	DESCRIPTION	START DATE	STOP DATE	EVNT	AC	LV	HRS	
YAZ	JOB FAIR INTERVIEW	12-04-2009	12-04-2009	P	C	P	4	
YAZ	JOB SKILLS, THUR 1:00-3:00	10-02-2009	12-03-2009	P	C	P	16	
YAZ	ISO INTERNAL QUALITY AUDITING	11-19-2007	01-12-2009	P	C	P	15	
YAZ	RPP1 STRESS MANAGEMENT	09-22-2008	10-21-2008	P	C	P	6	
YAM	CALISTHENICS	07-29-2007	09-09-2007	P	C	P	6	
YAM	BASKETBALL OFFICIAL	07-08-2007	07-10-2007	P	C	P	2	
YAM	AEROBICS	06-27-2007	06-27-2007	P	C	P	16	
YAM	BASKETBALL OFFICIAL	04-03-2007	06-05-2007	P	C	P	2	
YAM	RPP6 BLACK HISTORY REVIEW	02-06-2007	02-28-2007	P	C	P	8	
YAM	RPP2 JOB INTERVIEW	06-14-2006	07-05-2006	P	C	P	6	
YAM	RPP2 JOB APPLICATION	05-17-2006	06-07-2006	P	C	P	6	
YAM	RPP2 JOB SEARCH	04-24-2006	05-17-2006	P	C	P	6	
YAM	YOGA	06-28-2006	06-28-2006	P	C	P	10	
YAM	RPP2 PROGRAMS MOCK JOB FAIR	12-15-2005	12-15-2005	P	C	P	4	
YAM	CALISTHENICS	10-20-2005	01-05-2006	P	C	P	18	
YAM	RPP1 INFECTIOUS DISEASE AWARE	06-27-2005	06-27-2005	P	C	P	1	
BMM	EDUC AIDE APPRENTICE,4000 HRS	02-04-2004	06-14-2005	P	W	I	2720	
BMM	HOW TO KEEP A JOB	03-23-2005	03-24-2005	P	C	P	2	
BMM	HOW TO LEAVE A JOB	03-24-2005	03-25-2005	P	C	P	2	
BMM	HIRING EX-OFFENDERS PART 2	03-22-2005	03-23-2005	P	C	P	2	
BMM	HIRING EX-OFFENDERS PART 1	03-22-2005	03-23-2005	P	C	P	2	
BMM	EX-OFFENDERS' JOB TIPS	03-21-2005	03-22-2005	P	C	P	2	
BMM	TRANSITIONING BACK TO SOCIETY	03-17-2005	03-18-2005	P	C	P	2	
BMM	BLACK HISTORY REVIEW	02-01-2005	02-22-2005	P	C	P	9	
BMM	BASKTBALL CLINIC	02-25-2005	03-09-2005	P	C	P	12	
BMM	NOW YOU HAVE A JOB KEEP IT	03-08-2005	03-09-2005	P	C	P	2	
BMM	HIRING EX-OFFENDERS PART 1	10-07-2004	10-08-2004	P	C	P	2	
BMM	HIRING EX-OFFENDERS PART 2	10-11-2004	10-12-2004	P	C	P	2	
BMM	DEVELOPING LEADERSHIP SKILLS 1	10-19-2004	10-20-2004	P	C	P	2	
BMM	ACE GEOMETRY	08-09-2004	09-24-2004	P	C	P	16	
BMM	MOCK JOB FAIR	10-14-2004	10-14-2004	P	C	P	7	
BMM	JOB INTERVIEWING	08-31-2004	10-14-2004	P	C	P	8	
BMM	RESUME WRITING CLASS	09-02-2004	09-02-2004	P	C	P	2	
BMM	FOOTBALL CLINICS;SAT 7:30A	09-02-2004	09-25-2004	P	C	P	12	
BMM	PERSONAL SUCCESS STORIES	08-05-2004	08-06-2004	P	C	P	2	
BMM	HOW TO LEAVE A JOB	08-04-2004	08-05-2004	P	C	P	2	
BMM	HOW TO GET AHEAD ON THE JOB	08-03-2004	08-04-2004	P	C	P	2	
BMM	HOW TO KEEP A JOB	08-02-2004	08-03-2004	P	C	P	2	
BMM	HIRING EX-OFFENDERS PART 2	07-15-2004	07-16-2004	P	C	P	2	
BMM	HIRING EX-OFFENDERS PART 1	07-14-2004	07-15-2004	P	C	P	2	
BMM	EX-OFFENDERS' JOB TIPS	07-13-2004	07-14-2004	P	C	P	2	
BMM	PREPARATION FOR EMPLOYMENT	07-12-2004	07-13-2004	P	C	P	2	
BMM	PUBLIC SPEAKING	04-29-2004	06-17-2004	P	C	P	16	
BMM	WORKING WITH YOUR SUPERVISOR	05-12-2004	05-13-2004	P	C	P	2	
BMM	THE CUSTOMER IS OUR BOSS	05-06-2004	05-07-2004	P	C	P	2	

G0002 MORE PAGES TO FOLLOW . . .

FOR87 *
PAGE 003 OF 003 *

INMATE EDUCATION DATA
TRANSCRIPT

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* 13:06:30

REGISTER NO: 28332-077
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NAME...: CLIFTON
RSP OF: FOR-FORREST CITY FCI

FUNC: PRT

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----- EDUCATION COURSES -----
SUB-FACL  DESCRIPTION                START DATE  STOP DATE  EVNT AC LV  HRS
BMM        YOU AND YOUR CO-WORKERS    05-05-2004  05-06-2004  P  C  P    2
BMM        HEADS UP                   05-03-2004  05-04-2004  P  C  P    2
BMM        TOUGH QUESTIONS&STRAIGHT ANSWE 03-03-2004  03-04-2004  P  C  P    2
BMM        WOULD I WORK WITH ME       03-01-2004  03-02-2004  P  C  P    2
BMM        ENTER HERE                 03-02-2004  03-03-2004  P  C  P    2
BMM        BASKTBALL CLINIC;SAT 7:30A    02-10-2004  03-03-2004  P  C  P   12
BMM        THE CUSTOMER IS OUR BOSS     02-26-2004  02-27-2004  P  C  P    2
BMM        WORLD OF WORK              02-25-2004  02-26-2004  P  C  P    2
BMM        HANDBALL OFF CLASS,TH F 6-8 PM 11-02-2003  12-12-2003  P  C  P   16
BMM        FOOTBALL CLINICS;SAT 7:30A    09-09-2003  10-24-2003  P  C  P   12
BMM        PRESENTATION SKILLS         06-19-2003  06-27-2003  P  C  P   10
BMM        ADVANCED MICROCOMPUTER CLASS  02-10-2003  06-06-2003  P  C  C  240
BMM        MICROCOMPUTER VT,M-F,1230-1530 06-05-2002  09-27-2002  P  C  C  240
BMM        BASKTBALL CLINIC;SAT 7:30A    02-14-2002  03-07-2002  P  C  P   12
BMP        ADV TYPING 2:00-3:00         10-19-1998  11-17-1998  P  C  P   20
BMP        TYPING MON-FRI 1:00 - 2:00PM  09-09-1998  10-19-1998  P  C  P   20
BMP        SEWING VT: M-F 12:30P-3:30PM  09-16-1997  10-16-1997  P  C  E   60
BMP        BUILDING MAINT: M-F 1230-3:30P 08-04-1997  08-29-1997  P  C  E   60

```

G0000

TRANSACTION SUCCESSFULLY COMPLETED

CERTIFICATE OF APPRECIATION

Is hereby presented to:

Maurice Clifton

For your Outstanding Service, Dedication, and Patience in
In Exemplifying True Character, Courage and Commitment
to the Organization & Facilitation of the

"Women's History Program"

Here at Federal Correctional Complex Yazoo City

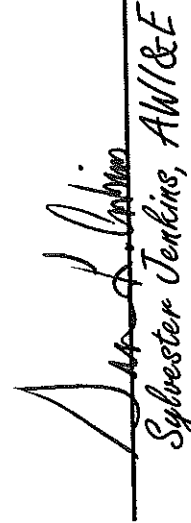
Given on this 20th day of March, 2014



CELEBRATING

Women of Character
Courage & Commitment


Bonita Maskey, Warden-Law


Sylvester Jenkins, AW/LE

EXAM FORM NO. 4804
CERTIFICATE NO. 9819134

ServSafe® CERTIFICATION

TO MAURICE CLIFTON SR

for successfully completing the standards set forth for the ServSafe® Food Protection Manager Certification Examination,
which is accredited by the American National Standards Institute (ANSI)-Conference for Food Protection (CFP).

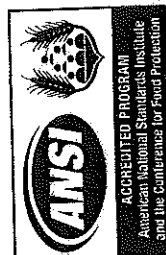
02/28/2018

DATE OF EXPIRATION

02/28/2018

DATE OF EXPIRATION

Local laws apply. Check with your local health department for recertification requirements.



#0655

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National Restaurant Association

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Student Name MAURICE CLIFTON SR
 Class Number 1218666
 Exam Date 02/28/2013
 Expiration Date 02/28/2018
 Instructor Name Danny Williams
 Sponsor Name Federal Bureau of Prisons
 Exam Location MS
 Exam Form Name 4804

Overall Point Score 75
 Overall % Score 93
 Passing % Score 75
 Status PASSED

Domain Names	Perfect Point Score	Your Point Score
Implement Food Safety SOPs	16	15
Employee Hygiene and Health	12	11
Receipt, Storage, Transport	13	12
Food Prep, Display and Service	28	26
Compliance with Regulatory	11	11
Total	80	75

American Society for Quality

Maurice Clifton

has satisfactorily fulfilled the requirements established by the Society for professional attainment and is, therefore, certified by the Society as a

Certified Quality Improvement Associate

Certification Number

Date Issued

12931 10/26/2017



ServSafe
CERTIFICATION

TO MAURICE CLIFTON SR

Exam Form No. 4804
Cert. No. 9819134

For successfully completing this exam, Maurice Clifton has been awarded a ServSafe Certificate of Completion by the National Restaurant Association Educational Foundation for the ServSafe Food Handler Certification Examination.

Date of Examination: 02/28/2013

Date of Expiration: 02/28/2018

Local laws apply. Check with your local regulatory agency for specific requirements.
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 ServSafe is a registered trademark of the National Restaurant Association Educational Foundation, LLC. The ServSafe logo is a trademark of the National Restaurant Association Educational Foundation, LLC.



600 N. Plankinton Ave. | Milwaukee, WI 53203-2914 | 800-248-1946 | www.osq.org

The Global Voice of Quality



December 6, 2017

65638428
Maurice Clifton
UNICOR
PO Box 7000
Forrest City, AR 72336-7000

Dear Maurice Clifton:

CONGRATULATIONS! The Certification Board is pleased to announce that you have passed the written examination for the ASQ Certified Quality Improvement Associate Certificate. You have reached an important milestone in your professional development.

Certification is not a license. It is peer recognition of proficiency in the prescribed body of knowledge. Please refer to your certification in terms which are consistent with the legal requirements found in many states. We recommend that you refer to yourself as an "ASQ Certified Quality Improvement Associate." It is very important that you associate the Society with your certification.

Enclosed are your certificate and wallet card. Please review this information and call ASQ Headquarters if there are any discrepancies. As a certified individual, the ASQ Code of Ethics should serve as your professional guide.

You can be rightfully proud of your certification as recognition of your professional knowledge by your peers in a professional society. Your name will be given to the Chair of your ASQ section for recognition through the Section.

We look forward to your continued participation in the Society.

Sincerely,

Michael R. Villa, Chair
ASQ Certification Board

Enclosures



American Society for Quality

Maurice Clifton

*has satisfactorily fulfilled the requirements established
by the Society for professional attainment in*

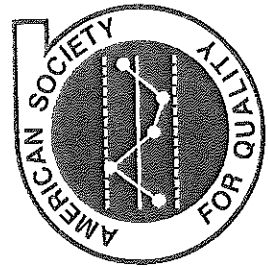
Quality Improvement

*and is, therefore, certified by the Society as a
Certified Quality Improvement Associate*

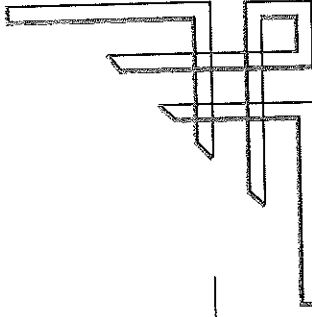
Certification Number 12931
Certification Date 10/26/2017



W. L. R. U. R.
Chair, Certification Board



E. C. O.
Chair



Maurice Clifton

14310945

UNICOR INMATE WORKER

Forrest City, Arkansas, USA

This is to verify that the following inmate is enrolled in
the UNICOR Program

Name: Clifton, Maurice

BOP#: 28332-077

Work Detail: IBO

Issue Date: 12/20/2017

Certifying Official: *[Signature]*

Unicor
CORP.

CERTIFICATION CARD



The Global Voice of Quality®

600 North Plankinton Avenue
P.O. Box 3005
Milwaukee, WI 53201-3005
414-272-8575 Fax 414-272-1734
800-248-1946 (USA, CANADA)
001-877-442-8726 (MEX/CO)
+01-414-272-8575 (INTERNATIONAL)

asq.org

Holmes Community College Workforce Development Center

Certificate of Completion
This certifies that

Maurice Clifton

Successfully completed the requirements for 300 hours
Restaurant Management

Carline P. Smith

Workforce Program Manager

2/05/2013
Date of Class


**MISSISSIPPI HOSPITALITY &
RESTAURANT ASSOCIATION**


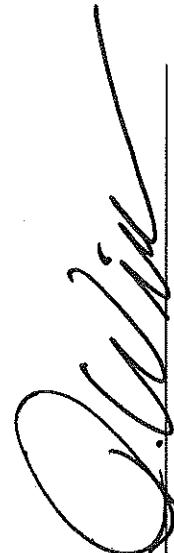
THIS CERTIFIES THAT

Maurice Clifton

has successfully completed the Restaurant Management Program
and therefore awarded this certificate of completion

Given this 5th day of February, 2013


Grady Griffin - Director of Education



Instructor

December 28, 2018

Honorable Chad Lamar
United States Attorney
Northern District of Mississippi
911 Jefferson Ave.
Oxford, MS 38655

RE: Case No. 3:97 CR006-001

Dear Sir,

I am writing in regards to the above case, which was tried in March of 1997. My name is Maurice Clifton Sr. and I am serving a 400 month sentence, for aiding and abetting the sale of cocaine, in September of 1996. On March 20, 1997, I was sentenced to 400 months, after IRS-CID Harry Bostic, testified at sentencing, that he had information that guys provided him out of court statement; that they worked for me, and the names of these individuals have never been made available to me.

Agent Bostic was arrested for felony DUI, and vehicular homicide, after being pardoned by Governor Haley Barbour. Also the head of the task force that investigated me was arrested, found guilty and served time in Texarkana for bribery and extortion. Both these men testified under oath at my trial and sentencing, thus casting a dark cloud over any information that was provided by them.

But that is hind-sight; because I am not writing in an attempt to re-argue my case, but to simply ask for a review of my crack motions, and two-point reductions. Judge Biggers made an oral pronouncement, of his finding me responsible for 1.5 kilograms, after several back and forth debates about the 6.4 grams that I was found guilty of coming into question. "SEE Attachment".

Congress recently passed H.R. 5682 – First Step Act, which made the "Fair Sentencing Act" of 2010 retroactive for those individuals sentenced before 2010. This is essence, effects my sentence greatly in that it makes me eligible for immediate release.

Mr. Lamar, I don't know what kind of picture Harry Bostic, or any of your agents painted for you, but I am not or ever was that person. I have always been a hard worker, and an advocate for change in my community. I am not saying I am totally innocent, but that I am not guilty of the amounts I am held responsible for (1.5 kilograms). I was never offered a plea, and I was not even the principal in the above case. The principal in my case received 31 months.

I have served 22 years, and have taken numerous educational classes to rehabilitate myself. "SEE Attachment". You can call any institution and ask the staff in the Education Department and the FPI Industries called UNICOR, where I have been employed since October 1997.

Maurice Clifton, Sr. Page 2

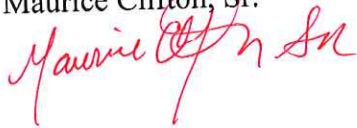
Basically, what I am trying to say is that I have been a model prisoner, who has sought, since day one, to prepare for his release someday. I have lost my mother, two brothers, and two sisters and a host of other relatives and friends.

I pray that you would consider urging the Public Defender's Office and you have them file the necessary motion on my behalf. I apologize for any misunderstanding that may have occurred over the years, and I just want an opportunity to be a productive citizen in society.

Thank you in advance for your time, patience and assistance in this matter.

Respectfully,

Maurice Clifton, Sr.

A handwritten signature in red ink, appearing to read "Maurice Clifton Sr.", is written below the printed name.

FILED

JAN 5 - 1998

USA VS. MAURICE CLIFTON

NORMAN L. GILLESPIE, CLERK
By *[Signature]*
Deputy

1
2
3 IN THE UNITED STATES DISTRICT COURT
4 FOR THE NORTHERN DISTRICT OF MISSISSIPPI
5 CRIMINAL DIVISION

6 UNITED STATES OF AMERICA GOVERNMENT

7 VS. NO. 3:97CR006

8 MAURICE CLIFTON DEFENDANT

9
10 WHEREUPON, the following proceedings were held
11 before the Honorable NEAL B. BIGGERS, JR., District
12 Judge, presiding.

13 SENTENCING
14 MAY 20, 1997
15 FEDERAL BUILDING
16 COURTROOM NO. I
17 OXFORD, MISSISSIPPI

ORIGINAL

18 APPEARANCES:

19 FOR THE GOVERNMENT: HON. CHADWICK LAMAR
20 ASST. U.S. ATTORNEY
21 OXFORD, MISSISSIPPI

22 FOR THE DEFENDANT: HON. NATE ADAMS
23 GREENVILLE, MISSISSIPPI
24
25

AGENT BOSTICK - DIRECT

1 of thing of Wyatt Williams. Knowing that he is a
2 convicted felon, Mr. Williams has worked on several
3 undercover operations that we have had ongoing for
4 over a two year period of time, worn numerous wires
5 for us in the investigation of numerous
6 individuals, which have pled guilty, been
7 sentenced. Part of them -- one of them right now,
8 I believe, is still under indictment. He
9 purchased -- he has purchased cocaine for us
10 through other drug dealers. His credibility as far
11 as wearing a wire, his testimony where he has
12 testified, not only before grand jury but in other
13 trials, has been completely honest and forth right
14 and is one of the most credible individuals as far
15 as being an informant that I have ever worked with
16 in my 20 years or 19 years of conducting
17 investigations.

18 THE COURT: Mr. Adams, in regard to the
19 amount, the statute provides that this defendant
20 was convicted of selling or distributing whatever
21 it was, more than 5 grams. That is all that needs
22 to be shown to the Court's satisfaction, and in the
23 trial of the case, he bought 6.4 grams from a CI
24 and it was submitted to the Mississippi Crime Lab
25 and weighed and total weight was 6.4 grams. That

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1 in itself satisfies the statute.

2 MR. ADAMS: Judge, I understand that is
3 what the testimony is, but the Government has run
4 this thing up where it is 50 plus kilograms.

5 THE COURT: Well, does that enhance the
6 guidelines in any way?

7 MR. ADAMS: It enhances the guidelines,
8 yes, sir.

9 MR. LAMAR: Your Honor, the trial
10 testimony did definitely establish this in excess
11 of 6 grams. However, under relevant conduct, the
12 United States Probation Service has determined that
13 he is responsible for distributing in excess of 1.5
14 kilograms, that is of crack cocaine. That is the
15 upper end of the guideline range. The guideline
16 range goes no higher than 1.5 kilograms. The trial
17 testimony established that, the grand jury
18 testimony established that, the memorandum from the
19 interviews of Mr. Bostick established that. The
20 precise amount is irrelevant once it exceeds 1.5
21 kilograms.

22 THE COURT: Okay. All right. You may
23 continue.

24 MR. ADAMS:

25 Q All right, sir. Now, with respect to this

ARGUMENT

1 but to the prove the elements of the offense;
2 number one, he is a dope dealer, and, number two,
3 the Government had to prove the proceeds of the
4 money laundering charge. Mr. Clifton was charged
5 with wire transferring the proceeds of his drug
6 distribution to California.

7 And pursuant to the Fifth Circuit case
8 law and across the country, you may show that by
9 showing that he had no legitimate source of income,
10 he was a drug dealer of a large magnitude --.

11 THE COURT: But basically what I asked
12 was whether or not they testified at trial that
13 they had been supplying him certain amounts of
14 drugs over certain periods of time?

15 MR. LAMAR: Your Honor, they did say
16 enough that would exceed 1.5 kilograms, and that is
17 the only relevant portion of the argument.

18 THE COURT: That's my question.

19 MR. LAMAR: The other part of the
20 argument is a jury believed these people. The
21 argument that counsel is making is a closing
22 argument. He made that argument. He said don't
23 believe them. The Court instructed them, be
24 careful when you consider the testimony of these
25 men. They considered that. They convicted Mr.

ARGUMENT

1 Clifton. Mr. Clifton got a fair trial. He got a
2 trial by a jury of his peers and, unfortunately for
3 Mr. Clifton, he was found guilty and --.

4 THE COURT: It sounds like you are making
5 a closing argument.

6 MR. LAMAR: Yes, sir, and I will sit
7 down.

8 THE COURT: All right. One minute.

9 MR. ADAMS: Sir?

10 THE COURT: One minute.

11 MR. ADAMS: If Your Honor, please, the
12 thing about the jury finding this man guilty, they
13 did find him guilty, but, Judge, under the
14 sentencing guidelines, under the sentencing rules
15 and regulations that we now have, the Court makes
16 the determination as to the quantity of drugs, not
17 the jury. The jury finds whether the man is guilty
18 of distribution or not, but the judge makes the
19 factual determination of what he, in fact, sold or
20 did not sell or what the relevant conduct consists
21 of.

22 THE COURT: That's correct. As counsel
23 has stated, the amount -- the maximum that is --
24 that can be charged that has any relevance, the
25 maximum amount that has any relevance to this

RULING

1 particular statute is 1.5 kilograms, ^unot the 50
2 kilograms that the presentence report charges him
3 with.

4 So the Court need only determine that (at
5 least 1.5 kilograms) were involved in this
6 defendant's transactions, and the Court finds that
7 to be the case.

8 That's a minimum amount that was involved
9 based on the testimony at trial from these
10 individuals who worked for him for a number of
11 years in rather large amounts.

12 All right. That objection will be
13 overruled concerning the amount involved.

14 And the Court also heard testimony
15 concerning the number of people that were involved
16 that worked for this defendant, and that objection
17 is overruled also.

18 Any other -- Anything else that you want
19 to speak to, Mr. Adams?

20 MR. ADAMS: No, Your Honor.

21 THE COURT: All right. Let your client
22 come up.

23 All right.

24 MR. ADAMS: The Defendant has written a
25 letter addressed to Your Honor that he has asked me

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Maurice Clifton

as a

Charter Member

*of an officially chartered Toastmasters club with privileges
and responsibilities of active membership*



October 1, 2013

Date

*Daniel Rex
Executive Director*

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⇨28332-077⇨
Judge S Aycock
Chief Judge's Chambers
203 Gilmore DR
Northern District of Miss
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